

BOBBY EUGENE LUCKY,)
)
 Plaintiff,)
)
 v.) Case No. CIV-15-1036-M
)
 MICK CORNETT, et al.,)
)
 Defendants.)

On September 25, 2015, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983. The Magistrate Judge recommended that plaintiff's Application to Proceed in District Court Without Repaying Fees and Costs [docket no. 2] be denied and that petitioner be ordered to prepay the full \$400.00 filing fee for this action to proceed. Further, the Magistrate Judge recommended this action be dismissed without prejudice unless plaintiff pays the full \$400 filing fee within twenty days of the date of the Report and Recommendation. Petitioner was advised of his right to object by October 15, 2015. A review of the file reveals no objection has been filed.

- (1) ADOPTS the Report and Recommendation [docket no. 5] issued by the Magistrate Judge on September 25, 2015;
- (2) DENIES plaintiff's Application to Proceed in District Court Without Repaying Fees and Costs [docket no. 2]; and
- (3) DISMISSES this action without prejudice.


VICKI MILES-LaGRANGE
CHIEF UNITED STATES DISTRICT JUDGE